



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 15, 2014

SCOTT B. MACKENZIE, TREASURER  
VIGOP (VIRGIN ISLANDS REPUBLICAN  
PARTY)  
PO BOX 295  
CHRISTIANSTED, VI 00821

**Response Due Date**  
**05/20/2014**

IDENTIFICATION NUMBER: C00553560

REFERENCE: MARCH MONTHLY REPORT (02/01/2014 - 02/28/2014)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule B supporting Line 22 discloses disbursements to a non-federal account (see attached). You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. Please provide clarifying information regarding these transactions including the date(s) when the original activity was conducted by the non-federal account. In addition, if any of these disbursements were made to influence the election or defeat of specific federal candidates, the disbursements should be allocated accordingly and disclosed as either in kind contributions on Schedule B supporting Line 23, or as independent expenditures on Schedule E supporting Line 24. (11 CFR §§104.3(b)(3) and 106.1)

Although the Commission may initiate legal action regarding the activities conducted by your non-federal account, any clarifying information that you can provide will be taken into consideration.

2. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 2 U.S.C. §441a(a) prohibits a non-multicandidate political committee and its affiliates, from making a contribution to a candidate for federal office in excess of \$2,600 per election. Please refer to the Campaign Guide for information on

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how a committee qualifies for multicandidate status.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

If your committee has met the criteria for multicandidate status, please file FEC FORM 1M "Notification of Multicandidate Status" with the Commission. The treasurer must file FEC FORM 1M no later than ten (10) calendar days after qualifying for multicandidate committee status. (11 CFR §102.2(a)(3))

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration. (11 CFR §103.3(b)(1) and (3))

- Schedule B of your report discloses an expenditure(s) for "DIRECT MAIL - CREATIVE," "DIRECT MAIL - LIST RENTALS," "DIRECT MAIL - POSTAGE," and "DIRECT MAIL - PRINTING & MAILSHOP." For your information and consideration when preparing future filings, if a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) or voter drive activity (under 11 CFR §106.6(b)(2)(i)) containing express advocacy as defined under 11 CFR §100.22, this would constitute an in-kind contribution or an independent expenditure and would be disclosed on

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a Schedule B or E supporting Line 23 or 24 as appropriate. Public communications and voter drive activity that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate would be reported on Schedule B for Line 21(b) of the Detailed Summary Page.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1169.

Sincerely,



Kevin Fortkiewicz  
Campaign Finance Analyst  
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions  
VIGOP (Virgin Islands Republican Party) (C00553560)**

**Payments to Non-Federal Account (Non-Party Committee)**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
VIGOP - TERRITORIAL COMMITTEE	2/27/14	\$2,299.68	2014 March Monthly

**Excessive Contributions to a Committee/Candidate Committee**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Report</b>
TIM SCOTT FOR SENATE	2/12/14	\$3,500.00	P2014	2014 March Monthly